

COUNCIL

NOV 18 2002

ADOPTED BY

Entered - 08/07/02 - sb
CL 02L0544 - GWENDOLYN BURNS

CLAIM OF: ROBERT MILNER
156 Echo Ridge, #20862
Jasper, Georgia 30143

02-R-1934

For vehicular damages alleged to have been sustained as a result of an automobile incident on July 16, 2002 at Interstate 75N at Exit 263 - Highway 120.

BY PUBLIC SAFETY AND LEGAL ADMINISTRATION
COMMITTEE:

BE IT RESOLVED by the Council of the City of Atlanta that the action of the Department of Law be approved in authorizing payment to **ROBERT MILNER** the sum of **\$969.79** in full settlement and satisfaction of all claims, past, present and future, of every kind and character for vehicular damages alleged to have been sustained as a result of a an automobile incident on July 16, 2002 at Interstate 75N at Exit 263 - Highway 120 as is more particularly set forth in the within claim; said sum taken from and charged to account 1A01/529017/T31001, Settlement of Suits and Claims, Department of Law.

APPROVED: LINDA K. DISANTIS
CITY ATTORNEY

BY: Rosalind Rubens Newell
ROSALIND RUBENS NEWELL
DEPUTY CITY ATTORNEY

FAVORABLE

COMM: Public Safety

DATE: 11/12/02

CHAIR: Harold Smith

Carla Smith

[Signature]

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NOV 26 2002
Shirley Frank

NOV 18 2002

CERTIFIED
NOV 18 2002

Rosalind Rubens Newell
MUNICIPAL CLERK



**MUNICIPAL CLERK
ATLANTA, GEORGIA**

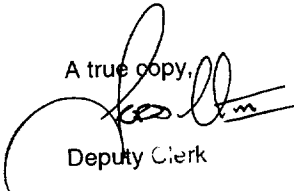
02-R-1934

A RESOLUTION

**BY PUBLIC SAFETY &
LEGAL ADMINISTRATION COMMITTEE**

BE IT RESOLVED BY the Council of the City of Atlanta that the action of the Department of Law be approved in authorizing payment to **Robert Milner** in the sum of **\$969.79** in full settlement and satisfaction of all claims, past, present and future, of every kind and character, for damages alleged to have been sustained as a result of an automobile incident on **July 16, 2002 at Interstate 75N at Exit 263-Highway 120** as is more particularly set forth in the within claim; said sum taken from and charged to Account 1A01/529017/T31001, Settlement of Suits and Claims, Department of Law.

A true copy.


Deputy Clerk

**ADOPTED by the Council
APPROVED by the Mayor**

NOV 18, 2002
NOV 26, 2002

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 02L0544

Date: October 30, 2002

Claimant /Victim ROBERT MILNER
BY: (Atty) (Ins. Co.) _____
Address: 156 Echo Ridge, #20862, Jasper, Georgia 30143
Subrogation: _____ Claim for Property damage \$ 969.79 Bodily Injury \$ _____
Date of Notice: 7/24/02 Method: Written, Proper X Improper _____
Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X
Date of Occurrence 7/16/02 Place: I-75 North & Highway 120 (S. Marietta Parkway)
Department PARKS, RECREATION & CULTURAL AFFAIRS Division Cultural Affairs - Civic Center
Employee involved Rob Lung Disciplinary Action: None

NATURE OF CLAIM: Claimant sustained vehicular damages when an errant rock from a City vehicle struck and shattered his windshield. An investigation revealed that although there was no police report filed to document the incident, the above-referenced City driver confirmed that on the day of the incident he was traveling through the above-referenced location in route to pick up hydraulic equipment for the Civic Center. However, he stated that he was not aware that claimant's vehicle was damaged.

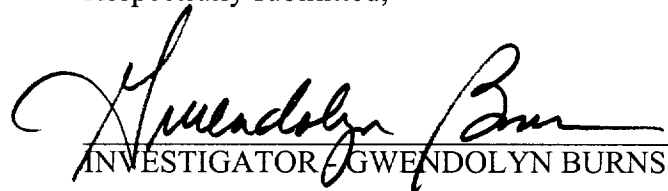
INVESTIGATION:

Statements: City employee X Claimant _____ Others _____ Written _____ Oral X
Pictures _____ Diagrams _____ Reports: Police _____ Dept Report X Other _____
Traffic citations issued: City Driver _____ Claimant Driver _____
Citation disposition: City Driver _____ Claimant Driver _____


BASIS OF RECOMMENDATION:

Function: Governmental X Ministerial _____
Improper Notice _____ More than Six Months _____ Other _____ Damages reasonable X
City not involved _____ Offer rejected _____ Compromise settlement X
Repair/replacement by Ins. Co. _____ Repair/replacement by City Forces _____
Claimant Negligent _____ City Negligent X Joint _____ Claim Abandoned _____

Respectfully submitted,


INVESTIGATOR GWENDOLYN BURNS

RECOMMENDATION:

Pay \$ 969.79 Adverse _____ Account charged: 1A01 X 2J01 _____ 2P01 _____ 2H01 _____
Claims Manager:  Concur/date 10-31-02
Committee Action: _____ Council Action _____

RCS# 4225
11/18/02
2:59 PM

Atlanta City Council

Regular Session

CONSENT I Pgs. 1-9; Except 02-R-1982; 02-O-1882;

ADOPT

YEAS: 13
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 3
EXCUSED: 0
ABSENT 0

NV Smith	Y Archibong	Y Moore	Y Mitchell
Y Starnes	Y Fauver	Y Martin	Y Norwood
NV Young	Y Shook	Y Maddox	Y Willis
Y Winslow	Y Muller	Y Boazman	NV Woolard

CONSENT I

11/18/02 Council Meeting

**ITEMS ADOPTED ON CONSENT
AGENDA**

1. 02-O-1774
2. 02-O-1972
3. 02-O-1297
4. 02-O-1859
5. 02-O-1860
6. 02-O-1861
7. 02-O-1974
8. 02-O-1979
9. 02-O-1902
10. 02-O-1962
11. 02-O-1971
12. 02-O-1863
13. 02-O-1864
14. 02-R-1924
15. 02-R-1952
16. 02-R-1966
17. 02-R-1996
18. 02-R-2000
19. 02-R-1951
20. 02-R-1954
21. 02-R-1978
22. 02-R-1983
23. 02-R-1984
24. 02-R-1856
25. 02-R-1931
26. 02-R-1932
27. 02-R-1933
28. 02-R-1934
29. 02-R-1935
30. 02-R-1936

**ITEMS ADVERSED
ON CONSENT AGENDA**

31. 02-R-1937
32. 02-R-1938
33. 02-R-1939
34. 02-R-1940
35. 02-R-1941
36. 02-R-1942
37. 02-R-1943
38. 02-R-1944
39. 02-R-1945
40. 02-R-1946
41. 02-R-1947
42. 02-R-1948
43. 02-R-1949
44. 02-R-1950

Consent I Vote: 13 Yeas; 0 Nays (See RCS #4225)
Items Removed from Consent: 02-R-1982; 02-R-1882